



Midpeninsula Regional
Open Space District

R-12-97
Meeting 12-32
September 26, 2012

AGENDA ITEM 7

AGENDA ITEM

Authorization to Increase the Contingency for the Existing Contract Agreement with TKO General Engineering and Construction (TKO) for the Staging Area and Connector Trail Project at El Corte de Madera Creek Open Space Preserve

GENERAL MANAGER'S RECOMMENDATION

A handwritten signature in black ink, appearing to be "S. G. G.", is written over the end of the "GENERAL MANAGER'S RECOMMENDATION" heading.

Authorize the General Manager to increase the contingency for the existing contract agreement with TKO by a not-to-exceed amount of \$25,000, for a total not-to-exceed amount of \$493,000, which includes the bid amount of \$389,688 and a new total 26.5% contingency amount of \$103,312, to construct the Staging Area and Connector Trail Project at El Corte de Madera Creek Open Space Preserve.

SUMMARY

On July 25, 2012, the Board of Directors authorized the General Manager to execute a contract with TKO (see Report 12-69) for construction services to construct the Staging Area and Connector Trail Project at El Corte de Madera Creek Open Space Preserve. A 20% contingency amount was requested at that time to address unanticipated additional work. Over the course of the past four weeks, two change orders resulting from unknown subsurface conditions were discovered during excavation and have almost depleted the 20% contingency. A potential new subsurface condition also associated with the driveway has just been discovered that, with paving, fencing, restrooms, trailhead infrastructure, and an accessible trail still to be constructed, beg the addition of \$25,000 to the contingency to cover any remaining unanticipated issues. To meet requirements of the Regional Water Quality Control Board, any changes resulting in soil disturbance must be implemented by October 1, 2012 or the Project will need to be stopped and resumed after April 15, 2013.

DISCUSSION

To date, two change orders, described below, have been completed to address unanticipated subsurface conditions. New unanticipated subsurface conditions are suspected and the additional \$25,000 contingency is being requested to address these, should they emerge, and facilitate overall project completion by October 2012.

Change Order No. 1 (completed)

During the excavation for the driveway entrance to Skyline Boulevard, TKO encountered a long, four to five-foot deep seam of loamy soil, which does not readily compact and is unsuitable for the compacted fill required under pavement. TKO was required to perform a significant amount of additional earthwork to excavate and relocate the soil, excavate suitable fill from elsewhere on the project site, and relocate and compact that fill back to the driveway area.

Change Order No. 2 (completed)

Two exploratory trenches were dug to more accurately ascertain the depth of an existing California Water Service Company (Cal Water) pipe running under the proposed driveway. The proposed grades and coverage over the pipe were reviewed in the field by Cal Water representatives and found to be unacceptable. ARCADIS, the project civil engineer, explored several design alternatives with TKO and Cal Water to resolve the issue. The grades were adjusted to increase depth of cover over the pipe, resulting in additional earthwork to re-grade the driveway. Due to the new driveway grades, additional revisions to the location and grades of a retention pond were also required.

Potential Additional Change Order(s)

Another potential subsurface condition arose on September 19, 2012 during the excavation for the retention pond closest to the driveway entrance. A revision to the layout and/or construction of the pond may be required and is currently under review with ARCADIS. The requested \$25,000 addition to the contingency would include funds to cover this cost.

The changes described above are necessary to complete the driveway, were not previously reasonably anticipated, and must be addressed efficiently in the field in order to meet the October 1, 2012 deadline set by the Regional Water Quality Control Board for soil disturbance activity. Staff and ARCADIS met with TKO several times during the course of resolving the first two issues, and ARCADIS reviewed Change Orders Nos. 1 and 2 for accuracy. TKO also worked with the District to charge a lower cost per cubic yard, using \$60 per cubic yard instead of the more typical \$120 or \$150 per cubic yard for general earthwork or engineered fill.

Staff is requesting the addition of \$25,000 to the contingency to address any other unexpected conditions in a timely manner and within the October deadline set by the Regional Water Quality Control Board.

FISCAL IMPACT

The FY2012-13 budget contains sufficient funds to cover the costs associated with this work, including the additional \$25,000 in contingency.

BOARD COMMITTEE REVIEW

No Board Committee review is required for this portion of the Project.

PUBLIC NOTICE

Public notice of this Agenda Item was provided per the Brown Act. No additional notice is required.

CEQA COMPLIANCE

Staff completed a Mitigated Negative Declaration for the Project, which the District Board of Directors adopted on February 10, 2010. A Notice of Determination was filed with the San Mateo County Clerk Recorder on February 16, 2010. The District Board of Directors adopted an Addendum to the Mitigated Negative Declaration on March 14, 2012.

NEXT STEPS

Upon approval by the Board of Directors, the General Manager will be authorized to issue additional Change Orders for an additional not-to-exceed amount of \$25,000 with TKO to cover unanticipated construction services for the Staging Area and Connector Trail Project. These funds will only be used if needed to complete the Project, which is scheduled to be completed by October 2012.

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